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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MICHAEL BLAKE DeFRANCE,

Defendant.

CR 21-29-M-DLC

**DEFENDANT DeFRANCE'S
UNOPPOSED MOTION TO
WITHDRAW REQUEST TO FILE
OVERSIZED REPLY BRIEF**

MOTION

Defendant, Mr. DeFrance, through his undersigned counsel, requested permission to file an oversized reply brief containing 4,452 words, which was 1,202 more words than the 3,250 allowed by L.R. 7.1(d)(2)(B). Meanwhile, Mr. DeFrance reduced the brief to fit within the word count therefore permission to file an

oversized brief is moot inasmuch as Mr. DeFrance has filed a reply brief within the word count. *See* ECF No. 74.

CONTACT WITH OPPOSING COUNSEL

Assistant United States Attorney Jennifer S. Clark has been contacted regarding this motion and she does not object.

CONCLUSION

WHEREFORE, we pray the Court will allow Mr. DeFrance to withdraw his motion to file an oversized reply brief.

RESPECTFULLY SUBMITTED this 10th day of January, 2022.

/s/ Michael Donahoe
MICHAEL DONAHOE
Deputy Federal Defender
Counsel for Defendant

CERTIFICATE OF SERVICE
L.R. 5.2(b)

I hereby certify that on January 10, 2022, a copy of the foregoing document was served on the following persons by the following means:

1 CM-ECF

2 Mail

1. CLERK, UNITED STATES DISTRICT COURT

1. JENNIFER S. CLARK
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2. MICHAEL BLAKE DeFRANCE
 Defendant

/s/ Michael Donahoe
FEDERAL DEFENDERS OF MONTANA